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2025 May 16 4:11 PM - 24CV-326
Williamson County Circuit Court

IN THE CIRCUIT COURT FOR WILLIAMSON COUNTY, TENNESSEE

AT FRANKLIN

TIMOTHY J. PAGLIARA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**No. 24CV-326**
	)	
DANIEL R. TRECCIA,	)	
	)	
Defendant.	)	

MEMORANDUM AND ORDER

This matter came before the Court on April 25, 2025, upon the *Order* which granted Plaintiff's *Motion for Default Judgment* and set an evidentiary hearing to determine the amount of damages owed to Plaintiff. *See Order* (November 19, 2024). Having considered the testimony in this matter, the exhibits offered into evidence, and the record as a whole, the Court finds as hereinafter stated:

I. PROCEDURAL HISTORY:

On June 20, 2024, Plaintiff Timothy J. Pagliara ("Plaintiff") filed a *Complaint*. First, Plaintiff alleged that Defendant Daniel R. Treccia ("Defendant") published defamatory statements about Plaintiff with "(a) knowledge that the statement is false; (b) with reckless disregard for the truth of the statement; or (c) with negligence in failing to ascertain the truth of the statement" and that as a result Plaintiff has suffered "economic losses, damage to his reputation, humiliation, and emotional distress." *See Compl.* ¶¶ 24-28.

Second, Plaintiff alleged that in "in addition to or in the alternative to being defamatory, [Defendant's statements] have cast Mr. Pagliara in the false light of being a dishonest person." *Id.* ¶¶ 29-33. In his *Complaint*, Plaintiff sought the following reliefs: 1) "a temporary and permanent injunction against the defendant enjoining defendant from making further false and defamatory statements concerning the plaintiff;" 2) "a judgment of compensatory damages against the Defendant in an amount in excess of $1,000,000;" and 3) "a judgment of punitive damages against Defendant in an amount in excess of $2,000,000." *Id.* at 8.

On July 24, 2024, the Court entered an *Order of Recusal*. In this *Order*, the Honorable Judge Deanna Bell Johnson recused herself from this matter and this matter was referred to the Honorable Joseph A. Woodruff, Presiding Judge, for reassignment. *See Order* (July 24, 2024).

On August 15, 2024, the Court entered an *Order of Reassignment*. In this *Order*, the Honorable Joseph A. Woodruff, Presiding Judge, ordered that the Honorable Judge Deana C. Hood shall hear this matter to its conclusion. *See Order* (August 15, 2024).

On October 23, 2024, Plaintiff filed a *Motion for Default Judgment and Memorandum of Law in Support Thereof* and the *Declaration of Gino Bulso*.

On November 19, 2024, the Court entered an *Order* granting Plaintiff's *Motion for Default Judgment* and finding as follows:

> The record demonstrates that, on June 28, 2024, plaintiff served the Summons and Complaint upon the Secretary of State pursuant to Tenn. R. Civ. P. 4B and Tennessee's long arm statute, Tenn. Code Ann. 20-2-214(a). The record further demonstrates that on July 10, 2024, the Secretary of State mailed the Summons and Complaint to defendant certified mail return receipt requested, but that defendant failed to accept delivery of such certified mail.

> The Court finds that Tenn. R. Civ. P. 4B governs service of process in this case. Rule 4B(6) specifically provides that defendant's failure to accept delivery of the certified mail does not affect the validity of such service. Accordingly, plaintiff's service of process upon the Tennessee Secretary of State was valid and provides the basis for this Court's entry of default judgment against the defendant.

See Order (November 19, 2024). Defendant did not participate in the legal process, although the proof at trial established that he has actual knowledge of the complaint against him and the legal proceedings in this action. In fact, Defendant knew that he was being sued for Three Million ($3,000,000) Dollars as demonstrated by his specific references to the amount in controversy, naming and defaming Judge Deanna Bell Johnson, who was originally assigned to this matter, and posting unwanted and antagonistic messages to the personal Facebook page of a court clerk, whose only involvement in this matter was to email the pleadings filed in this action to Defendant and the attorney of record.

On November 20, 2024, the Court entered a *Pre-Trial Order*, which ordered each party to submit a pre-trial memorandum by January 3, 2025. *See Pre-Trial Order* (November 20, 2024).

On January 3, 2025, Plaintiff filed 1) a *Pre-Trial Brief*, 2) *Exhibit 1*, 3) *Exhibit 2*, 4) *Exhibit 3*, and a *Notice of Filing*. Once again, Defendant did not participate in the legal process, and failed or refused to file any documents in compliance with the Court's prior Order.

On January 15, 2025, the Court entered an *Order*, resetting the damages hearing to April 20, 2025, due to inclement weather which led to the closure of the courthouse. *See Order* (January 15, 2025).

II. APPLICABLE LAW:

In *Myers v. Pickering Firm*, the Tennessee Court of Appeals provided that "[u]nder Tennessee law, a plaintiff is required to prove *actual damages* in all defamation cases." *Myers v. Pickering Firm, Inc.*, 959 S.W.2d 152, 164 (Tenn. Ct. App. 1997) (citing *Handley v. May,* 588 S.W.2d 772, 776 (Tenn. App. 1979)) (emphasis added). This requirement of "actual damages" has been discussed by the United States Supreme Court in *Gertz v. Robert Welch, Inc.,* 418 U.S. 323, 94 S.Ct. 2997, 41 L.Ed.2d 789 (1974) and cited with approval in Tennessee case law:

> We need not define "actual injury," as trial courts have wide experience in framing appropriate jury instructions in tort actions. Suffice it to say that actual injury is not limited to out-of-pocket loss. Indeed, the more customary types of actual harm inflicted by defamatory falsehood include **impairment of reputation and standing in the community, personal humiliation, and mental anguish and suffering**. Of course, juries must be limited by appropriate instructions, and *all awards must be supported by competent evidence concerning the injury, although there need be no evidence which assigns an actual dollar value to the injury.*

Id. (citing *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 350 (1974)) (emphasis added). Additionally, in discussing damages, the Tennessee Court of Appeals noted that "[t]he failure to prove special damages or out-of-pocket losses is not necessarily determinative" and "[t]he issue is whether the record contains any material evidence of impairment of reputation and standing in the community, personal humiliation, or mental anguish and suffering." *Id.* (citing *Handley v. May*, 588 S.W.2d 772, 776 (Tenn. Ct. App. 1979)).

Additionally in *Myers v. Pickering Firm*, the Tennessee Court of Appeals discussed the amount of damages that a plaintiff could be awarded and provided that "[t]he amount of damages assessed *depends on the degree of moral turpitude of the defendant's conduct.*" *Id.* (citing *Saunders v. Baxter,* 53 Tenn. 369, 385 (1871)) (emphasis added).

A defendant may show the absence of malice by providing proof of "retraction of the libel to mitigate the damages." *Id.* (citing *Knoxville Pub. Co. v. Taylor,* 215 S.W.2d 27, 30 (1948)). Punitive damages are not permitted, unless "actual malice" is shown. *Id.* (citing *Memphis Pub. Co. v. Nichols*, 569 S.W.2d 412, 421 (Tenn. 1978)). Evidence of actual malice can be shown when there is "[a] refusal to retract after a request for retraction is made or the republication after notice is given of the falsity of the statements." *Id.* (citations omitted). In *Tomlinson v. Kelley*, the Tennessee Court of Appeals further defined "actual malice" as follows:

> The concept of actual malice in defamation cases connotes more than personal ill will, hatred, spite, or desire to injure. Rather, ***it is limited to statements made with knowledge that they are false or with reckless disregard to their truth or falsity.*** Determining whether a defendant acted with reckless disregard requires the finder of fact to determine whether the defendant "in fact entertained serious doubts as to the truth of his [or her] publication."

Tomlinson v. Kelley, 969 S.W.2d 402, 405–06 (Tenn. Ct. App. 1997) (internal citations omitted) (emphasis added).

III. DISCUSSION:

A. Statements Made by Defendant:

The following allegations of fact were impliedly confessed by the entry of default judgment:

> 17. On June 19, 2024, for reasons known only to himself, the defendant Daniel R. Treccia took to Twitter and wrote that the "SEC charges of 2 counts of fraud" were never "wiped off, just a third appeal." Treccia continued his unhinged rant stating that Mr. Pagliara convinced the Court to "throw out" the charges "because the SEC's victims of Pagliara and co didn't state the amount of $ basically they were specifically overcharged even though two courts had found in favor of the SEC's fraud claims."
>
> 20. Treccia continued his January 19 rant writing: My friends as I stated are WALL STREET level players. I can prove that if you f-----g want too. But I also am just sending my own legal all of the harassment by proxy - and people like you who claim

> I'm attacking people when I have the g—d--- SEC charges and explanation of how this guy advertises himself and overcharged $400K of fees from clients and on third appeal got off bc they couldn't state the claim on a technicality. Good for them the charges are there because he did not get cleared of his fraud charges.
>
> 22. In attempting to justify his malicious posts, Traccia explained, "All I'm doing is sharing a guy who lies about what he does and has been SEC charged with basically lying to people "advised" and he lies about managing assets he does not. Let alone $1.4B."

Compl. ¶ 17, ¶ 20, ¶ 22. Plaintiff also offered testimony and exhibits into evidence to support his position that Defendant made defamatory statements. Based upon the evidence submitted at trial, Defendant also made the following false statements: 1) the "SEC charges of 2 counts of fraud" were never "wiped off, just a third appeal; 2) "because the SEC's victims of Pagliara and co didn't state the amount of $ basically they were specifically overcharged even though two courts had found in favor of the SEC's fraud claims;" and 3) "when I have the g—d--- SEC charges and explanation of how this guy advertises himself and overcharged $400K of fees from clients and on third appeal got off bc they couldn't state the claim on a technicality. Good for them the charges are there because he did not get cleared of his fraud charges;" and 4) "All I'm doing is sharing a guy who lies about what he does and has been SEC charged with basically lying to people "advised" and he lies about managing assets he does not. Let alone $1.4B." Plaintiff produced the verdict form in the case of *Securities and Exchange Commission v. Capwealth Advisors, LLC et al,* United Stated District Court, Middle District, docket number 3:20-cv-1064, finding that the SEC did not establish that Plaintiff had violated any federal law, committed fraud or failed to adopt and implement written policies and procedures compliant with federal law. *See Trial Ex. 1.* Plaintiff also offered the judgment in the above-referenced matter, again finding that Plaintiff did not violate any federal law,

did not commit fraud, and that Plaintiff did not fail to adopt and implement written policies and procedures compliant with federal law. *See Trial Exhibit 2.*

In addition to the posts on social media referenced in the *Complaint*, Plaintiff submitted *Trial Exhibits 3*, *4*, *5*, *6*, *7*, *8*, *9*, and *10* into evidence. *Trial Exhibits 3-10* contain thirty-five (35) pages of screenshots from different social media platforms on which Defendant posted lewd and inflammatory comments about Plaintiff. Additionally, *Trial Exhibit 3* contains thirteen (13) pages of emails that Defendant sent to Plaintiff's counsel, wherein he either repeated or offered additional lewd and inflammatory comments about Plaintiff and Plaintiff's attorney.

First, the Court examines the emails sent from Defendant to Plaintiff's counsel. *See Trial Ex. 3* at 1-13. On June 21, 2024, Defendant sent an email to Plaintiff, which stated, in relevant parts, as follows:

However, though I cannot find your fund and I also didn't find the document you had been completely let off all counts according to your lawyer - I admit I can be wrong.

I don't care to see it. If you're saying you're innocent you are. Maybe SEC charges, Parloff, and GameStop week had me in a terrible mood and I missed something.

For that I do say sorry. I also think you need to get a better lawyer because he sent a letter to my RA a day

Trial Ex. 3 at 5. Initially, Defendant appeared to be recanting his defamatory comments and admitted that "he could be wrong." Later that same day, Defendant sent an email to Plaintiff's counsel, which contained the following subject line: "Tell your client you really need to just take my money and apology because I have a life to get on with. I don't care about your $3M and you can just have it," and, in relevant parts, stated as follows:

> **Money is yours. I admitted I can be wrong and frankly I can say ok you're fine - just in the future - don't run. Just send me why I'm wrong. I have a good record with SBF (Marc Cohodes and I became friends for it), long calls, and obviously I know my shit value investing. So if i see SEC charges - just - this isn't the way to use the justice system when you'd shed blood for you, your lawyer, and the judges that threw out his case my lawyer wants to use. I DONT WANT any more of this. I been thru hell and back. I can weather paying you and just walking away. Dance on my grave IDC. Just stop fixating on me. I told your proxies plenty to knock it off.**
>
> **This is a disagreement over Parloff. I need an address to send you a check for $3,000,000. For your suffering or whatever. If you don't accept my apology and money then I pay less money and have to be annoyed during my work day by you again. I want you to knock it off. I don't think there's a chance in hell you'd win $3,000,000 when RoaringKitty ruins markets and you just have a lot of really impressive lingo and shit that is hard to find - whatever. I am sorry for my part - but you should take responsibility to not duck me and just take what you really want. I know I can be proud of myself making it back.**

Trial Ex. 3 at 3-5. Defendant concluded the same email by stating as follows:

> **Go fight for GSE shareholders. I'll be fine. But I need a response - and it has to come tonight. You didn't properly serve me and I'm running out of patience to give anything. I can just have this thrown out - I'm well aware that you don't have enough citations but I AM NOT THE JUDGE OF YOU. You're 60 or something? I'm 36. I want to move on with my life and your damages to your reputation seem to be fine but hey - do something great with $3M of my money. I'll sell some GSEs too. I don't care.**
>
> **I literally don't care. I don't want to beat you in court. I'm tired of the frauds. I'm tired of the FTX and Redditors.**
>
> **Take your money and be done.**

Id. at 5. Clearly, Defendant had actual notice of the *Complaint* filed by Plaintiff; yet, he refused to defend himself in a courtroom but instead elected to wage a social media campaign against Plaintiff, Plaintiff's attorney, and other persons connected with the Court.

Even after the filing of the *Complaint*, Defendant continued to post the following on the social media platform X, formerly known as Twitter:

Stankonia Capital @Stan... · 1h
That's not getting cleared of FRAUD. Which is why the SEC charges are still there and the two counts of fraud were upheld in your appeals and 3 years of spending to get some lie you could spread. @rparloff spread lies too - then those people defrauded their victims for $26BILLION

1 20

Stankonia Capital @Stan... · 1h
Tim Pagliara called Parloff his friend and I told him then I knew he was a piece of shit basically and he was very condescending. Well he messed with the wrong small X account. I don't care or profit from this - but I will be standing 50 years later with S reflecting my honesty.

Stankonia Capital @Stan... · 1h
It's two things about me that I practice in addition to just investing. Why would I not share with Fannie Mae investors? I have stake. Fuck him.

Stankonia Capital @Stan... · 1h
Hey Pagliara tick tock. I don't have to do anything more. Just don't expect to be able to censor me in court. Or take my actually earned money. I will never ask for your advisement. You have charges on 2 counts of fraud. They were not expunged. Yo are filth.

Stankonia Capital #MAGA

Berkshire's Letter from Chairman WB 1988 (they also held commons of both GSEs - until 2001) - Bet that Buffett's Mungerian 1988 strategy has not chance. $325B of Berkshire Hathaway cash sitting. Waiting. Mr. Bessent who has praise of Mr. Dimon who sent his protege in Risk Mgmt to become CFO of in Dec 2022 has also been talking for months to the Trump inner circle and POTUS elect himself. You can connect the dots if is interested in owning a portion of two companies that check the two boxes of outstanding management (Jamie's Risk Mgmt protege CFO of Priscilla Almodovar) and outstanding businesses (even in conservative socialist like state of our post GFC 2008 state since the Q3 2019 Trump WIN to appoint his own dir and set the GSE's towards recapitalization that now lies about because he's a bureaucrat that isn't important anymore - and both Fannie's CFO and admitted publicly in Q12024 "both GSE's are fully rehabilitated/they have enough capital at combined 100's billions to survive in privatized state"

You think that Calabria and his 70% chance of the Trump admin pulling off a privatization sale divesting the Treasury holdings of warrants and Sr PFD's and his claim it won't be possible until 2027 is being published by people telling the truth? That's the people that is going to chainsaw and put out of business behind that comment and behind that story even being published.

In January 2024 when CFO who came from Jamie's direct mentorship (she admitted this in Fortune magazine that she learned everything in risk management direct from Dimon) BUCKED the establishment in power and the entire Federal DC bureaucracy by saying that not only her company, Fannie Mae, but also FREDDIE MAC were both fully rehabilitated and should've been privatized a long time ago

lives off his lawsuits, book sales, fake expertise similar to Mark Calabria (however him writing a book is fine - he's not claiming to be a CIO) but in a way that I find morally reprehensible when you're claiming to be a "CIO" and expert in matters yet you don't even time the market right you don't ACTUALLY perform CIO duties like Scott Bessent where he accesses his firms brokerage account and makes the trades himself for INVESTMENT -> or it's related entity that Pagliara claims to be CIO of tells THE CUSTOMER TO MAKE A PERSONAL CHARLES SCHWAB ACCOUNT (or another) and then TIM PAGLIARA "CIO" TELLS THEM TO PERSONALLY BUY A STOCK AND THEN THEY HOLD IT IN THEIR PERSONAL CHARLES SCHWAB RETAIL BROKERAGE ACCOUNT.

Then Tampon Tim Pagliara gets paid for "consulting" and calls himself the "CIO" well good luck because when you sue him for his terrible timing or make an SEC formal complaint that the guy lost your money they get a Pagliara legal scumbag explaination from how their disclaimers and other legal garbage prevents them from being liable because you made the trade on your retail brokerage account and that's your fault.

Timothy J. Pagliara - anyone think this guy's a huge piece of shit? I know personally. I wanted to say all this because back to the point.

I believe is so corrupt and so many people on and investor's boards are actually out there preying on people in many ways for reasons to give you the wrong information because their DC regulatory agency ties (you are lying about your 70% by

That wasn't just CFO speaking that was Jamie saying "fuck this administration and it's regulators and and is done having you tell us what to do (as you've seen Dimon say and leak from a recent conference where he blasted the regulators trying to say they need to hold 9% in assets/comply with Basel III and can lick my JPM balls!)

Who do you think was "consulting with bankers" on how to pull off a Fannie and Freddie privatization sale in a Trump 2.0 admin since Q1 2024 if deregulation is the main objective of Sir Jamie why he praised Trump's Treasury Sec Scott Bessent because of his deregulation to the max mindset in Dimon's publicized support for the pick? You think that Jamie Dimon as it came out this past week and him talking for months to "Trump's main transition and advisors and Trump himself" doesn't connect to his Risk Management mentee that's CFO of Fannie Mae saying in January 2024 that Fannie AND FREDDIE (not her company) are both fully rehabilitated (and capitalized enough to go private) and joining onto isn't connected to the fact this is an immediate objective that will be fulfilled come January 20, 2025 and has been practically all worked out per all the reported facts I connect and explain to you above?

Don't you find it funny that Berkshire Hathaway has $325B in cash "managing $1.4B" when he isn't even controlling the retail brokerage accounts of the people who go to him and PAY HIM to do things that I would tell you how to do for free concerning Fannie and Freddie because you wanted to get into the trades.

So yeah these scumbags are lying some lesser scum than others but Pagliara I really hope this finds you.

And and the rest of ya I hope you enjoyed the analysis and I appreciate your own commitment to free information sharing and honesty in a swamp filled social media platform rife with assholes described above. and others have been waiting 16 years for justice you guys are the good guys and will benefit. I timed my trade well and have repeatedly rejected the PFD bullshit because it hurts their ego I came in under $1 and with a load of knowledge because that's HOW I INVEST.

That's how Berkshire Hathaway's 1988 letter described it all and yes they held commons in both companies dating back to the Carter/Reagan transition. Buffett knows the ROI on the warrants->commons is a ROI to put the exclaimation point on Berkshire Hathaway's incredible run. If I could bet on a betting market Buffett would put that cash into the Treasury sale that releases these two outstanding companies with outstanding management to the NYSE relisted state for all securities I'd bet the house.

Stankonia Capital (FTP FJB VLLC MAG... · 4h

Well that seems awfully bullish! $FNMA $FMCC

😂🤣

Hold onto your P's you FUD spreading ch*des - Common shares are inevitable and > PFDs. Point is - I'm holding PFD only shills and ppl limiting my posts here to 1 per day who are b-hurt bc their PFD play isn't as profitable from this point on the record...

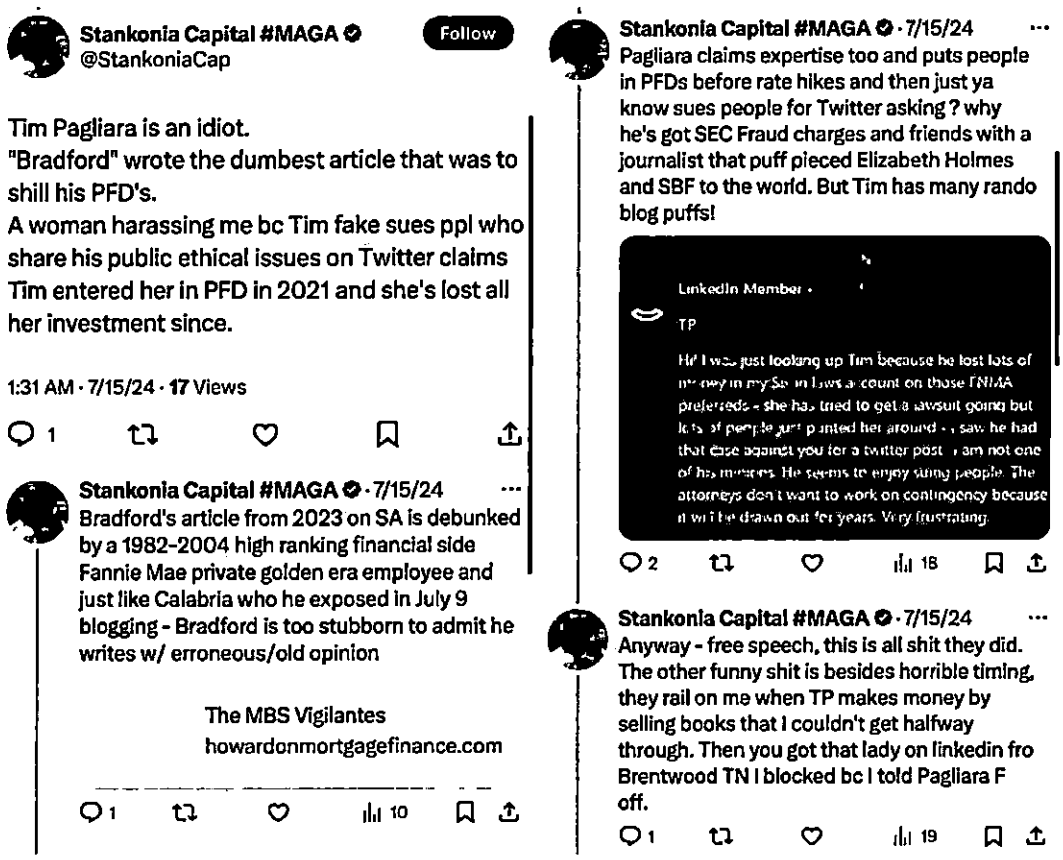
Cry tears (whoever that loser is in Florida with the PACER that can't stand dissent and correct positions) You got in 2014 good for you. I'm glad I didn't. I enjoy the most value I can possibly gain at entry. I'm not sorry for having incredible sub $1 positions and accumulations whereas TP's clientele contacting me claim he got them in PFDs in 2021 only to have them freaking out that he lost their investment (I have no official proof this is just info relayed to me on LinkedIn etc by ppl claiming) from poor timing before 2022's FFR hikes and the bottom not being in. Don't be a B bc you F'd up timing. Also if you lost money bc TP and his services allegedly (not my claim calm down F*gara - don't want any fake services via FedEx) putting you in PFD's and losing that $ in the decline of the stock since - I would reckon just wait it out - and it will ride high just like commons as EOY 2024 comes with Trump's election, and into 2025 when the NYSE relisting of these shs of common and PFD hit high volume and real-time trading as well as the end of conservatorship sir Trump has promised.

You guys who try shaking people from commons are either uneducated, mentally handicapped, or just terrible liars. Either way, enjoy the salt in your wounds. I enjoy calling victories ahead of time since you guys who FUD commons with the dumbest of reasons - if any - will make a few more reminders why I'm glad I'm not in line with you and your way of investing. :)

Bullish $FNMA $FMCC ... also to claim to be an expert at timing the market is just as moronic as charging fees to place folks with no clue about what they are investing in 3 years early - if any such person did so... hopefully they enjoy being saved by the appreciation well above 2021 levels even on such PFDs alleged. But yeah I own you #FTP

BULLISH

39


Stankonia Capital #MAGA
@StankoniaCap
Follow
Tim Pagliara is an idiot.
"Bradford" wrote the dumbest article that was to shill his PFD's.
A woman harassing me bc Tim fake sues ppl who share his public ethical issues on Twitter claims Tim entered her in PFD in 2021 and she's lost all her investment since.
1:31 AM · 7/15/24 · 17 Views
1
Stankonia Capital #MAGA · 7/15/24
Bradford's article from 2023 on SA is debunked by a 1982-2004 high ranking financial side Fannie Mae private golden era employee and just like Calabria who he exposed in July 9 blogging - Bradford is too stubborn to admit he writes w/ erroneous/old opinion
The MBS Vigilantes
howardonmortgagefinance.com
1
10
Stankonia Capital #MAGA · 7/15/24
Pagliara claims expertise too and puts people in PFDs before rate hikes and then just ya know sues people for Twitter asking ? why he's got SEC Fraud charges and friends with a journalist that puff pieced Elizabeth Holmes and SBF to the world. But Tim has many rando blog puffs!
LinkedIn Member
TP
2
18
Stankonia Capital #MAGA · 7/15/24
Anyway - free speech, this is all shit they did. The other funny shit is besides horrible timing, they rail on me when TP makes money by selling books that I couldn't get halfway through. Then you got that lady on linkedin fro Brentwood TN I blocked bc I told Pagliara F off.
1
19

Trial Ex. 3 at 14, 15-18, 26, 30. Defendant also published the following statement on X:

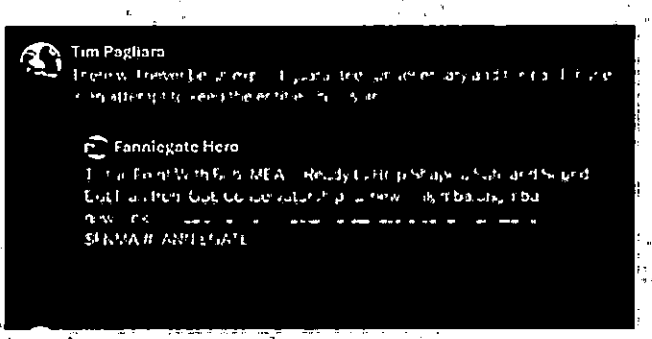
> @DoNotLose instead of making me pull up those public IRS filings since PAGLIARA CHARITIES was est. can you please tell your mentor the fraudster-imo criminal @timpagliara to explain his retard ass and how he "made a School in Tanzania?" – tell him I'm a Nigerian Prince $FNMA

Trial Ex. 5. Defendant made the following posts on LinkedIn:

Like • 2 Reply

Daniel Treccia • 3rd+ 5h •••
Figuring out the limits of my brain function.

Yes ser I hear Timothy J Pagliara is the best in the Fannie Mae and Freddie Mac biz. I was hoping I could find an expert that could help me understand his "EXPLICT" guarantee. I think he might have just been tired or distracted and meant Implict* guarantee as in the former "implied government backing in case of a bailout" of the twins. But then I was like wait a minute, that makes no sense. A typo would mean Tim has some weird fingers if you just look at your standard keyboard. On any device. Then I thought WOW - Tim is the best there is... so I should see if I can get his expansion and wisdom on what is so EXPLICIT about this new guarantee that my dumbass has never heard of. I hear he is the best. He tells everyone! DISCLAIMER: The first amendment being exercised to point out that the business owner needs to clarify to the potential customer any confusing terminology when running a business that claims Tim is a TOP Financial Advisor is total acceptable when the potential customer is doing DD on the business owner. PERIOD!**



Like Reply

Stefan Spefigene and 17 others — 8 comments • 5 reposts

Reactions +10

Like Comment Repost

Comment as CapWealth...

Most relevant

Daniel Treccia • 3rd+ — 4d
Figuring out the limits of my brain function.

> Says the moron with his inbred ambulance chaser I've handed over their bs ambulance chasing and loser boomer intimidation attempts to sue for $3M usd bc an account w 300 followers brought up Tim Pagliara's SEC.gov attempted fraud charges without saying anything about conviction after questioning his relationship w Elizabeth Holmes and Sam Bankman-Fried two time puff piece introductions in 2014 and 2021 to introduce a combined $35B in fraud on the world bw theranos and FTX.

Guess what dummy - you're so incredibly bad at investing that I make actual money with no one else's funds but me and my friends initial savings and in 2 years we're kicking your ass in ROI. Just because you like to try and sue for X posts in a first amendment right to question your public available charges despite never accusing you of anything just asking questions from my little account and your inbred lawyer Bulso who has a huge conflict of interest from suing his district he is from in state house of reps - district 61 his court he brings your stupid and frequent lawsuits too doesn't mean your lack of proper due process and Gino's low IQ inbred lawfare earns you a right to claim unverified accounts w 3 views caused you 3M in damages.

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Like | Reply • 5 Replies

Daniel Treccia • 3rd+ — 4d
Figuring out the limits of my brain function.

Daniel Treccia I see you're trying another suit now on a third party website since your dope lawyer and state congress inbred Bulso couldn't sue me over two X posts for your suffering in asking why sec.gov has fraud charges up if you "beat them" but I will say you are the worst person at stock picking so I get why you're trying to sell books and consulting which I saw a complain against you pending for 3 years over bad timing? Why wouldn't you just call me since I'm better at you at ROI and stock picking? Use it for your businesses. I don't sell books consulting or have complaints. Also numb nuts ya missed the whole point so bad that you and Gino and your loser judges married to the Sen from the district Bulso is suing his own BoEducation or we over bills he sponsors is giving a terrible name to the GOP. No wonder Trump called your Gov a RINO. What you did is going to be fun to see what the FBI investigation J20 decides to get you Gino and your admittedly financial interests before recusal from my case according to trellis. Since you dopes won't let me show up dismiss your garbage and then hand my money docs over to the FBI anyhow. It's exciting - quit suing to make money and learn how to invest. Investing in PFD in 2021, ouch!

> **Office Hours with Gary Gensler: Fraud and Deception in Artificial Intelligence**
> Public Appearances by Officials SEC Chair Gary Gensler will participate in a fireside chat at the 2024 Healthy Markets Association (HMA)...

Like | Reply

Daniel Treccia • 3rd+ — 4d
Figuring out the limits of my brain function.

Daniel Treccia must've sucked seeing Sen Johnson's wife admit you guys had a coordinated financial interest in trying to get 3M from me when you are literally chasing a ghost in Stankonia Capital. I have seen even TN courts think you two are a waste of time lol. Good luck w your empty bs to keep this going and not provide prop service tho. 3 views on a ? About your sec charges ain't gonna get ya lawfare bs the 3M you need bc your judgement sucks. Good luck w that angry customer from 2021. Id suggest you tell her hold and she'll be above water. Still don't be surprised the next admin is a little more aggressive breaking up local corrupt and Judge Mrs Sen Johnson admitted financially interested in your scam and money you can't scare out of me over tweets in any other court - tell ya what let's settle this in the Northern District of IL so my uncle can call you a moron and you and inbred boy can go back to Gino's dead dads house and cry - but yeah I already sent my stuff on you boobs and Sen Johnson's wife who kinda fd ya by recusal to the FBI Chicago - I would start apologizing but that's not gonna stop the feds.

Like | Reply

Daniel Treccia • 3rd+ — 4d
Figuring out the limits of my brain function.

Daniel Treccia oh and man suing your former employee I see on trellis - now that is something! Of course in Gino's and the Sen Johnson district 61. The witnesses over the years must seriously be numerous. Hopefully the FBI goes thru them all.

Oh and after that you may want to beg forgiveness. Lawfare and the ensuing civil suits of mine will be in Federal Courts and I'd hate to drag two boomer morons with zero talent in bc I doubt there's much $ from some operation your own Sen Johnson's wife told third party services I've kept track on bc you morons don't have authority over me or realize how I'm beyond your IQ by a full 130 points that I doubt I'm gonna get much $ - I'll prob give it to your past similar scumbag victims

Like | Reply

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Daniel Treccia this pussy Pagliara thinks he can sue me for 2 X posts where I mentioned that he had 2 SEC fraud cases brought and thinks just bc public info and a questionable journalist relationship that's from a guy who introduced two of the biggest financial sociopath frauds in history in Holmes and SBF makes me question his cocking

off to me over such a question. Guy you can't even time shit right. Stop offering services keep funds closed and info free. You want a lesson in value investing and ROI I'll do it free otherwise your time using one small podunk court w no jurisdiction over Twitter or first amendment to try and intimidate others that don't know how retsrded you are is done. I got your idiot ass to thin an OutKast album LLC that took $50 to register is a real business. You don't think I have full protection from 1 - first amendment and two, hold a dime myself or in Stankonia Capital LLC.

All my tracking of this case has been online bc you two tits think you're above servicing me at my home address. Try to sue personally over tweets w a grand total of under 10 impressions.

I'm gonna let the feds do their investigation on your entire ring. But after? I'm prob gonna send your shit all over Twitter. Bc it's true. :)

Like | Reply

Daniel Treccia · 3rd+ 4d •••
Figuring out the limits of my brain function.

Good luck suing Hunter Yarbrough, CPA, CFP® - Hunter shoot me a message this tit Pagliara blocked me after two tweets and tried to send that inbred that sues his own district he rep in the TN GOP and congress for bills he sponsors and book bans I think? Not entirely clear but Timmy suffered damages from my unverified <8 views two tweets before blocking me. FBI guys. Feel bad your judges and Eugene Bulso Jr won't be able to escape the federal laws they've broken trying lawfare on Trump's best friend Elon Musk's X platform over ? Your sec gov and ROGER parloff record. By the way stop consulting - just pay that poor woman. Start making money from investing and maybe you will not have these probs. Told you commons were the best play. Free adv tell her she'll be above water on your fall 2021 botched timing in a matter of 60-75 days. Later "CIO"!

Trial Ex. 3 at 36, 37-39. Defendant also made the following comments on YouTube:

Federal Reserve Rate Cuts? Market Reactions & Inflation Concerns | Tim Pagliara on CNBC World

CapWealth
155 subscribers
Analytics Edit video
0 Share Promote Download Save

78 views 4 months ago #inflation #energysector #federalreserve
In this insightful discussion, Tim Pagliara, Chief Investment Officer at CapWealth Advisors, delves into the financial markets' anticipation of a Federal Reserve rate cut, with future markets strongly betting on an easing cycle beginning in September. Despite inflation remaining above 3%, long-term yields have been stubbornly high, and Pagliara analyzes the potential impacts of these economic factors.
...more

2 Comments Sort by

Add a comment...

Highlighted comment

D @DanielTreccia 1 month ago
All I see is a person who is going to be facing a criminal federal investigation with his scam ring in the WC circuit court with help of a judge that admitted to her interests in financial gain from the case - an inbred lawyer who can't intimidate me let alone serve due process, and you Tim. The guy who has zero ethics. Or is that report about the stuff you sent to your wife's friends (not charged of course with anything) not clearly who you are? How's it feel to have your actions and a Senator Johnson's wife going down because you're a complete idiot for messing with a smarter person who clearly has more self-confidence and brain cells that your three. Ouch!

Reply

1 reply

D @DanielTreccia 1 month ago
Jan 20, 2025. Federal Bureau of Investigations under Trump won't be very happy with you three. :) - Too late for apologies I handed it off to my college friend/former NCAA teammate. Criminal investigations. Not lawsuits. I make my own money Tim.

Reply

Trial Ex. 3 at 40. Additionally, the above comments are just the posts directly related to Plaintiff. The Court finds Defendant made numerous defamatory statements about Plaintiff.

B. Compensatory Damages:

Plaintiff is a financial advisor with a national reputation. Plaintiff has been a financial advisor for over forty (40) years. He has won many awards and has been nationally recognized as an expert in his field. He regularly appears as a guest commentator on the Fox Business network. He publishes on topics related to his field. His reputation is critical to the success of his business. In 2024, he earned approximately $3,200,000.00, which was consistent with his earnings in prior years.

To the best of Plaintiff's knowledge, he incurred Defendant's wrath because he defended Roger Parloff on social media. Since then, Defendant has falsely accused Plaintiff of: 1) committing fraud; 2) being a criminal; 3) being involved in criminal activity with a member of the judiciary; and 4) being involved in government corruption. Defendant's attacks on Plaintiff occurred over email, X, Facebook, LinkedIn, and YouTube.

To combat Defendant's defamatory statements, Plaintiff has been forced to engage an attorney, review pleadings, review exhibits, answer uncomfortable or embarrassing questions from colleagues, clients and friends about the defamatory statements made by Defendant, and disable his LinkedIn page in order to mitigate the harm to his reputation. Plaintiff estimated that he had spent over one hundred and fifty (150) hours dealing with the Defendant and ensuing litigation. In attempting to calculate his economic compensatory damages, Plaintiff stated that his hourly rate, calculated by dividing his

annual earnings by a forty (40) hour workweek, is $1,600.00 per hour. Since he has spent over one hundred and fifty (150) hours, he has suffered at least $240,000.00 in economic damages directly from his lost earnings alone. He has also been forced to disable his LinkedIn account, which has resulted in an immeasurable damage to his business. The Court finds that Plaintiff has suffered economic, compensatory damages in the amount of $250,000.00.

Plaintiff testified that his reputation is important to him. He has spent over forty (40) years building his reputation and in less than one (1) hour, some unknown social media "keyboard warrior" can undo it all. Plaintiff has been damaged as a result of Defendant's conduct due to the fact that his reputation has been harmed. Plaintiff must compete for business and there are certain accounts that he has been unable to land. Plaintiff has also suffered from emotional distress and mental anguish due to Defendant's conduct. Plaintiff has experience anxiety, stress, and anguish. Plaintiff testified that he has taken the anxiety and stress and channeled these feelings into a positive outlet.

As provided by the Tennessee Court of Appeals in *Myers v. Pickering Firm, Inc.*, 959 S.W.2d 152, 164 (Tenn. Ct. App. 1997), the amount of damages assessed depends on the degree of moral turpitude of the defendant's conduct. Defendant has called Plaintiff the following names in his various social media posts: 1) Tim Fagliara, 2) Tampon Tim Pagliara, 3) retard ass, 4) fraudster, 5) dummy, 6) numb nuts, 7) pussy, 8) idiot ass, and 9) tit. *See Trial Ex. 3*; *see also Trial Ex. 4*. Defendant has called Plaintiff's attorney the following names: 1) slimeball, 2) scumbag, 3) lowlife, and 4) a product of incest. *See Trial Ex. 3* at 22, *see also Trial Ex. 7; see also Trial Ex. 8*; *see also Trial Ex. 10*. Defendant has stated that the "law is gay and retarded, and has jurisdictional limitations." *See Trial*

Ex. 10. Defendant has referred to this Court as "corrupt," as running cover for "pedo[philes]," and as "podunk" "hillbill[ies]." *Trial Ex. 3* at 9, 35, 39. Defendant stated that Plaintiff has a "scam ring in the WC circuit court." *See Trial Ex. 3* at 40. Defendant has commented negative things on a member of the court staff's Facebook post. *See Trial Ex. 3* at 35. Additionally, as stated *supra*, Defendant has made the following defamatory statements: that Plaintiff 1) has committed fraud; 2) is a criminal; 3) is involved in criminal activity with a member of the judiciary; and 4) is involved in government corruption. Defendant's attacks on Plaintiff have occurred over email, X, Facebook, LinkedIn, and YouTube. Based on the above, the Court finds Defendant's conduct to be repugnant, depraved, and vile. The Court finds that Plaintiff has suffered harm to his reputation, and he has experienced emotional distress and the mental anguish as a direct result of Defendant's defamatory statements and as such Plaintiff is entitled to a damages award in the amount of $750,000.00 for non-economic compensatory damages.

Therefore, the Court **AWARDS** Plaintiff a total amount of $1,000,000.00 in compensatory damages.

C. Punitive Damages:

The Court finds that Defendant entertained serious doubts as to the truth of his publications; and, therefore, the Court further finds that Defendant made all the aforementioned statements with actual malice due to the fact that he made them with reckless disregard to their truth or falsity. *Tomlinson v. Kelley*, 969 S.W.2d 402, 405–06 (Tenn. Ct. App. 1997) (internal citations omitted) (emphasis added). While Defendant did delete his initial posts, he has not meaningfully retracted those statements, and, in fact, has continued to post defamatory statements about Plaintiff on various social media

platforms. Defendant, himself, admitted that he was wrong in his email to Plaintiff's counsel, and yet continued to post defamatory statements about Plaintiff. In accordance with *Myers v. Pickering Firm*, 959 S.W.2d 152, 164 (Tenn. Ct. App. 1997), the Court finds that this is further evidence of actual malice. Thus, the Court finds that punitive damages are appropriate in the case at hand.

Pursuant to Tenn. Code Ann. § 29-39-104(5), punitive damages "shall not exceed an amount equal to the greater of: (A) Two (2) times the total amount of compensatory damages awarded; or (B) Five hundred thousand dollars ($500,000)." Tenn. Code Ann. § 29-39-104. Defendant himself stated as follows: Plaintiff "can have [his] $3,000,000," Defendant "can earn $3M back internally making good investments," and that Defendant "need[ed] an address to send [Plaintiff] a check for $3,000,000.00." *See Trial Ex. 3* at 4. The Court finds Defendant's egregious conduct in this action warrants an award of punitive damages to the fullest extent of the law. Therefore, the Court **AWARDS** Plaintiff $2,000,000.00 in punitive damages.

IV. CONCLUSION

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Defendant shall be enjoined and restrained from making further false and defamatory statements concerning the Plaintiff;
2. Plaintiff shall be awarded a judgment of compensatory damages against the Defendant in the amount of $1,000,000, for which execution may issue, if necessary; and
3. Plaintiff shall be awarded a judgment of punitive damages against Defendant in the amount of $2,000,000, for which execution may issue, if necessary.

ENTERED this 16th day of May, 2025.

Deana C. Hood

DEANA C. HOOD
Circuit Judge and Chancellor
21st Judicial District, Div. II

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was mailed, postage prepaid, faxed or emailed to:

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Defendant, *Pro se*

This 16 day of May, 2025.

Cauga Reed DC

Clerk